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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

ERIC ROJAS,  
Plaintiff,  
v.  
NEW CICEOR'S INC. et al.  
Defendants.

Case No. 22-cv-04705-EJD  
Civil Rights

**STIPULATION AND [PROPOSED]  
ORDER DISMISSING ACTION WITH  
PREJUDICE**

NEW CICEOR'S INC. et al.

#### Defendants.

Plaintiff ERIC ROJAS ("Plaintiff") and Defendants NEW CICERO'S INC., dba  
RO'S PIZZA; CHRISTOPHER MARCHESE, Trustee of the Chris Marchese Family Trust  
. dated December 22, 1972 as to 22.1126%; CHRIS J. MARCHESE, LISA MARCHESE,  
LISA MARCHESE VAUGHN, Trustees of the Christopher Marchese, Jr. Living Trust  
. dated December 28, 1971 as to 11.5493%; DOMINIC OWEN, NICHOLAS OWEN, AND  
S OWEN, Trustees of the Helen Owen Living Trust U.D.T. dated December 28, 1971 as to  
93%; CHRIS MARCHESE and LISA MARCHESE, Trustees of the Chris Marchese & Lisa  
Marchese 1994 Trust dated January 12, 1994 as to 8.79%; MARCHESE FAMILY

1 FOUNDATION, a California Nonprofit Corporation as to 11.7888%; HELEN OWEN, Trustee of  
2 the Edward Owen Shelter Trust dated June 28, 2019 UTA dated January 11, 1994 as to 8.792%;  
3 PAULINA MARCHESE and ELISE MARCHESE VAUGHN, Trustees of the Tyson Vaughn-  
4 Baker 2021 Irrevocable Trust dated August 20, 2021 as to 3.3025%; PAULINA MARCHESE and  
5 ELISE MARCHESE VAUGHN, Trustees of the Calvin Vaughn-Baker 2021 Irrevocable Trust  
6 dated August 20, 2021 as to 3.3025%; PAULINA MARCHESE and ELISE MARCHESE  
7 VAUGHN, Trustees of the Audrey T. Vaughn 2021 Irrevocable Trust dated August 20, 2021 as to  
8 3.3025%; PAULINA MARCHESE and ELISE MARCHESE VAUGHN, Trustees of the Christine  
9 M. Vaughn 2021 Irrevocable Trust dated August 20, 2021 as to 3.3025%; RAY RUSSO, JR. and  
10 NICHOLAS E. OWEN, Trustees of the Helen Owen 2021 Irrevocable Trust dated August 18,  
11 2021 as to 6.976%; BAILEY OWEN, Trustee of the Nicholas E. Owen 2021 Irrevocable Trust  
12 dated September 21, 2021 as to 1.744%; NICHOLAS E. OWEN, Trustee of the Kayla K. Owen  
13 2021 Irrevocable Trust dated August 18, 2021 as to 1.744%; and KAYLA K. OWEN, Trustee of  
14 the Bailey Owen 2021 Irrevocable Trust Dated August 18, 2021 as to 1.744% (collectively,  
15 “Defendants”) stipulate through their undersigned counsel and request that the Court dismiss this  
16 action in its entirety with prejudice pursuant to Fed. R. Civ. P. 41(a)(2) with each side bearing  
17 their own attorney fees, costs, and litigation expenses. The parties further request that the Court  
18 continue to exercise jurisdiction over the Consent Decree and Order in accordance with its terms.  
19

20 Respectfully submitted,

21 Dated: February 21, 2023

22 \_\_\_\_\_ /s/  
23 By: Irakli Karbelashvili,  
24 Attorneys for Plaintiff

25 Dated: Feb. 21, 2023  
26

27 \_\_\_\_\_ /s/ Montgomery S. Pisano \_\_\_\_\_  
28 By: Montgomery Pisano,  
Attorneys for Defendants

1                   **Filer's Attestation**

2 I, Irakli Karbelashvili, attest that I received concurrence from the signatories in the filing of this  
3 document.

4                   \_\_\_\_\_  
5                   /s/  
6                   Irakli Karbelashvili  
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ORDER

Having reviewed the parties' stipulation, and good cause appearing, this action is dismissed in its entirety with prejudice with each side bearing their own attorney fees, costs, and litigation expenses. The Court retains jurisdiction over the Consent Decree in accordance with its terms.

Dated:

## United States District Judge